Commandeering of Motor Buses.

39. Mr. E. Ikkanda Warriar.—Will the Government be pleased to state:—

(a) whether it is a fact that the motor buses plying for hire from Trichur have been commandeered by the Police for the use of the Commissioner of Police on the occasion of the marriage of his daughter in Edavam last;

(b) if the answer is in the affirmative, whether the Government has taken any action in the matter?

Mr. Sheik Abdul Qadir Sahib Bahadur.—(a) The answer is in the negative.

(b) No answer is necessary.

40. Mr. E. Ikkanda Warriar.—Will the Government be pleased to state:—

(a) whether all the buses timed to start from Trichur have started on all days from 3rd Edavam 1103 to 8th Edavam (both days inclusive) according to the time granted to them;

(b) if the answer is in the negative, how many buses have failed to do so and the reasons for their failure to do same?

Mr. Sheik Abdul Qadir Sahib Bahadur.—(a) The information asked for is not available as the Police are required only to see that buses shall not run except in accordance with the timings specified in the permit.

(b) The question does not arise in view of the answer to (a).

Voting of Demands for Grants.

Demand No. XIII.—General Administration—Rs. 60,591.

Mr. A. K. Vengu Ayyar.—Sir, I rise to move for a total grant of Rs. 60,548 under "XIII.—General. Administration". The details of the demand are:—

(1) Huzur Secretariat—Establishment, Travelling Allowance—Supplies and Services and Contingencies .... Rs. 48,839

(2) Legislative Council .... Rs. 11,709.

There are not many details requiring explanation. The small variations have been explained by the Finance Member in his memorandum and his budget speech. The Central Record Superintendent retired in the course of the current year. The post is however kept vacant pending orders on the report of the Special Finance Committee. Provision is made only for 2 clerks, a typist and two peons. A provision of Rs. 1,375 is made for a special clerk on Rs. 100 and a typist on Rs. 25. This staff is proposed to be entertained early next year for compiling a record of administration from the papers in the possession of His Highness Raja Sri Sir Rama Varma

LIBRARY ARCHIVES Kerala Legislative Assembly

G. C. S. I., G. C. I. E. As for "Office Expenses" the increased provision is for the purchase of two typewriters next year.

The items under "Legislative Council" call for no remarks. All the items were scrutinised by the Standing Finance Committee.

I now request the House to pass the demand I have asked for.

Motion No. 1.

Mr. E. Ikkanda Warriar.—*To reduce the allotment of Rs. 25,830 for 'Huzur Establishment—Upper Division' by Re. 1.*

President.—Motion No. 1.—Mr. E. Ikkanda Warriar.

Mr. E. Ikkanda Warriar.—Sir, I move for the reduction of the allotment of Rs. 25,830 for 'Huzur Establishment—Upper Division' by Re. 1. My object in moving this resolution is to bring to the notice of the Government the desirability of postponing the discussion of the Special Finance Committee report to another meeting of the Council specially convened for the purpose at an early date, preferably in Chingam next. In the confidential circular sent to us along with the report, the Government invites us to discuss the various recommendations of the Committee when motions for grants for the coming year are made. We are completely left in the dark as to the procedure to be followed in discussing the report. Nothing is shown in the circular about it. I expected that the Government would communicate to us the procedure they propose to adopt in the Council. But that was not also done. There would have been some meaning in asking us to discuss it now, if the Government had formed its conclusions about the report, and incorporated them in the budget by making provision for such of the items as they accept. Then it would have been easy for us to express our opinion on those items as and when we come to them. But that is also not to be, for, it is not practicable for the Government, even with the help of a special officer, and even though they had 4 or 5 months before them, to arrive at a satisfactory decision before the close of this year.

Sir, the Finance Committee report is a voluminous one. Its recommendations cover a wild field and are of a far-reaching character. So much so that the Government itself found it necessary to appoint a special officer to scrutinise them, although 5 out of the 12 members of the Committee were some of its best and ablest officers. Under such circumstances it would be certainly excusable on our part if some of us, who do not possess such administrative experience and facilities, are not able in the course of 20 days that were at our disposal to master the subject thoroughly, and feel some diffidence in undertaking such a big responsibility without the necessary and adequate preparation.

LIBRARY ARCHIVES Kerala Legislative Assembly

Moreover, in the discussion on motions for grants, we have to deal with matters concerning two or three Departments every day. This is the only opportunity afforded to us to place all our grievances before the Government on various matters. The time at our disposal is hardly sufficient even for that, and if we are also asked to discuss the recommendations of the Special Finance Committee report also, I am afraid we will not be able to do justice to either.

Some of us felt this difficulty, and have sent resolutions to put off the discussion of the report to a separate meeting. Three of them were able to find a place in the agenda for the last day's meeting. I need hardly say that there is no use moving them after the discussion itself is over. It is to get over this anomalous situation that I tabled this motion, and fortunately for us it came up as the first.

The Hon'ble Finance Member anticipates this move on our part in his budget speech, and pleads in the name of the non-salary bill officers and their hungry mouths to hold the discussion in this session itself.

Mr. K. Krishna Pisharodi.—Only if possible.

Mr. E. Ikkanda Warriar.—He says in effect. These are only some small pills prepared by eminent physicians. You can easily swallow them. They are very sweet. The patients are too bad to wait for a searching analysis of the various ingredients that go to make up the pill. I wish that the Committee and the Government had shown this solicitude for them in expediting the completion of the report, which took nearly two long years, and the final orders upon them, which was hanging fire for the last four or five months. Let me assure him, Sir, that we are not any the less solicitous about their welfare. Let me also assure him that it is not the difficulty of going through the 100 pages of the report and understanding the conclusions in it that prompted us to take this move. Our work would certainly have been easier if the Government had also placed before us the materials, which the Committee collected, and upon which they have based their conclusions. We would certainly have not made this request now if they had done so, as we expected them to do.

The persons who are going to be benefited by the report are not likely to be prejudiced by this short delay, as the discussion will be over before the first of Kanni, when alone they can reasonably expect to reap the fruits of it, and even if it takes a little longer time, cannot the Government give retrospective effect to the orders which they pass? On the other hand, do they not also stand the chance of getting more favourable terms by a full-dressed debate?

LIBRARY ARCHIVES Kerala Legislative Assembly

Before concluding, I wish to make one more observation. It is this. If the Government is going to accept the principle of this motion and adjourn the discussion to a separate meeting, I request them to intimate to us the final decisions on the recommendations of the Committee and the procedure they propose to adopt in discussing it before that meeting.

Mr. K. P. Kannan Nayar.—I also wish to say one or two words with reference to this matter because there is already a resolution tabled in my name, which comes on the last day of the meeting. Now the Finance Member in his budget speech says this. "The report of the Committee is engaging the earnest attention of the Government, and they hope to pass orders as early as possible. Meanwhile it is their sincere desire that the Members of this House may avail themselves of the opportunity during general discussion, and in the course of discussing the several demands to place their views on the various recommendations of the Committee before the Government, so that the Government may be in possession of their opinions also in the matter. All classes of Government servants, excluding perhaps some of the salary bill officers, have been anxiously waiting too long for some increase in pay being given to them, and it is my honest opinion, and I do hope that I voice the opinion of many of my friends inside and outside, when I say, that it will be rather hard to postpone the matter any further on the ground of want of time to digest the report. After all, the main report with the dissenting notes contains about 100 pages, and certainly it is not very difficult to master the well-considered conclusions of a Committee composed of some of the most experienced officials and popular representatives of the last Council, during the course of a few days. Government request for their early expression of opinion; hungry mouths plead for the same; the matter has already been delayed due to circumstances beyond control; it is but proper to make amends even now. In these circumstances I hope that the House will be pleased to give expression to their opinion in this very session, if possible, and to pass the lump allotment asked for." Now it is seen from this part of his speech that, if this discussion is to be postponed to some other day, he wants to throw the whole blame of the delay on the non-official Members of this House. You will be pleased to find, Sir, that more than two years were taken by this Special Finance Committee itself in collecting materials and in preparing its report. As the previous speaker himself said, I think the report was published in Makaram. Now we are in the end of Karkadagam. Government have not passed final orders upon that. Government had at its disposal a period of 4 or 5 months, a special officer also to digest the well-consi-

LIBRARY ARCHIVES Kerala Legislative Assembly

dered conclusions. It will be seen from the speech of the Finance Member that " After all, the main report with the dissenting notes contains about 100 pages, and certainly it is not very difficult to master the well-considered conclusions of a Committee". I really cannot understand what he means. Are those well-considered conclusions to be taken as they are, or are they open to discussion any further? They are well-considered; certainly. I do not think the Finance Member means that we are only to go through the report by looking into it here and there. Now, if even though they are well-considered conclusions, and still the Government, in the course of four or five months even with a special officer, could not have passed orders, I really cannot understand how you can expect us to discuss the matter at such a short notice.

Mr. A. K. Vengu Ayyar.—Government could have passed orders on the report much earlier. But they wanted the opinion of the Members on the same. And since there was no session but this after the report was published, we have placed it before the House.

Mr. K. P. Kannan Nayar.—Now in the circular that accompanied the report which was given to us by the end of Mithunam, it was stated that the Government would not be able to pass final orders by the end of this year itself. That is what is stated in the circular. The Council cannot express its opinion with such short notice, when the Government itself is not in a position to pass final orders with the report in their possession for 4 or 5 months. What I want to impress upon this House is, if the Government wants a lucid and full discussion of the whole matter, let us have it at another meeting specially convened for that purpose. Let it be a short session of two or three days. It is not questioned that the conclusions are not properly considered. If you want us to consider them, give us some time more. Let not the delay be thrown upon us. Of course there is bound to be some delay; only a month's delay. Let it not be attributed to us that we are not anxious to satisfy the hungry mouths. Let it be understood that we are as solicitous and as earnest as any of you there. We shall not be opposed so far as this matter is concerned to satisfy the legitimate claims of every officer of the Government and if the Government thinks that the whole thing has to come very soon, there is absolutely no objection to give retrospective effect to the final orders. Now in the circular it is stated that final orders cannot be passed by the end of 1103.

Mr. A. K. Vengu Ayyar.—That was because the Government wanted to ascertain the views of the Council on the matter.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. K. P. Kannan Nayar.—Government did well when they thought that they should take the opinion of this Council in this matter. If you want our opinion give us some more time to consider the matter; because it is an important matter, a complex one too. And further this is a recurring expenditure we are going to incur out of the revenues of the State. Now two lakhs are provided. We cannot say whether it will come to only two lakhs or more. This revision of the pay of the officers is not a thing which takes place every year. This is a thing which takes place once in 10 or 12 years. This is more or less like the Land Revenue Settlement which takes place once in every 20 or 30 years. It requires, therefore, a thorough overhauling. Let us do it carefully. It is only for this purpose—for this important business—we request that this may be considered at a special meeting. The Budget Session is one when we have to transact a large amount of business. We do not stand in the way of the officers of the Government who are going to be affected by these recommendations. We do not want the thing to be indefinitely postponed. Certainly not.

President.—It is better to fix some time-limit for the speeches. I rule that every mover will be allowed ten minutes and the others 5 minutes each.

Mr. A. K. Vengu Ayyar.—May I give a reply, Sir?

Dr. A. G. Menon.—I request that the Government may speak their case. We will speak, if necessary, after hearing the Government views on the subject.

We have tabled resolutions on the very same subject but they will come up only on the last day.

Mr. A. K. Vengu Ayyar.—There are some resolutions tabled by the Members on the last day of the Council, as observed by the Member, for discussion. The intention of the Government is that it must have the opinion of this Council also before passing final orders on this report. That is why the report was sent to the Council Members almost a month in advance. But the Government can have no objection to postpone the consideration of this matter to a special meeting convened for the purpose. The *modus operandi* of discussion will be settled and communicated to the Members as early as possible.

Dr. A. G. Menon.—I hope the special meeting for the purpose would be convened as early as possible and that it will not be put off indefinitely.

Mr. A. K. Vengu Ayyar.—As early as possible.

Mr. E. Ikkanda Warriar.—In the light of the explanation given to me, I withdraw my motion with the consent of the House.

(*The motion was, with leave, withdrawn*).

LIBRARY ARCHIVES Kerala Legislative Assembly

Motion No. 2.

Mr. C. J. Mathew.—*To reduce the allotment of Rs. 35,550 for 'Huzur Establishment' by Re. 1.*

Mr. C. J. Mathew.—Sir, I have tabled this motion as a token one just to bring to the notice of this House that, in spite of solemn promises many times made, adequate representation in the public service is not yet given to many of His Highness' subjects. My friend, the Hon'ble Member for Kunnamkulam, once put a question in this Council, and its answer is like this: "Will the Government be pleased to place on the Table a statement showing the number of people in Government Service drawing Rs. 25 and above; how many of them are caste-Hindus, how many of them are non-caste-Hindus, how many of them are Christians, how many of them are Muhammadans, how many of them are Jews?" The answer is "There are about 1,707 persons in the service of the Government drawing over Rs. 25; of these caste-Hindus form 1,344; non-caste-Hindus 48; Christians 296; Muhammadans 18 and Jews 1." Now, I should not be understood to mean that I am going to raise here a cry of communalism. Not at all. I do not want the loaves and fishes to be all distributed to my community or to one particular community. All that I want to press is that this is an economic cry pure and simple. Just as the Hon'ble the Finance Member has said that hungry mouths have to be fed, I say that non-represented classes also should be taken into Government service. By this I should not be taken to mean that I want all those in service should be sent away forthwith. It is a clear fact that we are more represented in Government service than our brothers, the non-caste-Hindus. They get most inadequate representation; 48 as against 1,344 of caste-Hindus in the service. That matter has been many times brought before this House by my Hon'ble predecessor as well as by the Hon'ble Member for Kunnamkulam. But in spite of many kinds of promises, absolutely no redress in this line has been made to my community, except perhaps in the lower grades of the Department. I want to emphatically request the Government to give adequate representation to these communities. This and this alone is my purpose in bringing this motion.

Mr. M. K. Raman.—Sir, I wish to say a few words on this motion. I also support the mover of this motion, and in doing so, I take this opportunity to express that I agree with him in almost all of what he said. I may be accused to be wanting in high political principles if I say that the so-called non-caste men are not adequately represented in the service, and the Government is showing a step-motherly attitude to them in

LIBRARY ARCHIVES Kerala Legislative Assembly

the distribution of loaves and fishes of the emoluments of State service.

Mr. A. K. Vengu Ayyar.—It is not true.

Mr. M. K. Raman.—Facts would show how it stands. However, I ask why in this Legislative Council you have set apart different seats for different communities. I have the honour to represent a particular community, and so too in this House we have a seat for the Planters, a seat for the Jenmies, a seat for the Jews, etc. All these would show that our country has not advanced to such an extent as to permit all these communal feelings to be forgotten in the State, and we are still in a state when that high stage of political consciousness has not developed fully among the people and the Government. Sir, the Government, in their appointments that they have been making, have been particularly careful in selecting men from the more fortunate communities. I know, for instance, in the Huzur Secretariat, although several applications have been put in by non-caste-Hindus, by Graduates, under-Graduates and a few Graduates-in-Law for the last two years, and though several appointments have been made during the period, not one from the non-caste communities have been taken there. I should certainly congratulate the Hon'ble Secretary to the Diwan who has been so very successful in preserving the Huzur Secretariat from the pollution of non-caste men, by not allowing any one to approach the Huzur Secretariat. I should submit that this is a matter which creates a great deal of heart-burning in the minds of a large mass of people of the State. I place before you, therefore, that the Government should take into consideration these grievances of a very large section of His Highness the Maharaja's loyal subjects. You have given us education and you are said to be encouraging us, and the Government, as they themselves have stated, would do everything in their power for the uplift of the depressed and backward classes. Of course they have, I may say, created a new Department for the same purpose, and in addition to the ordinary work of the Director of Public Instruction, he has been also entrusted with the work of looking after the depressed classes, an arrangement which does not cause much pecuniary costs to the Government. But, however, we are thankful to the Government for having done so much. I submit that the action of the Government should not stop there. Government should consider these things in a still more liberal light, and follow the example of the more civilized countries, where they encourage the non-represented classes to be represented in service. Only then the communal equilibrium would be established between all the communities. May I submit that the Government should, as far as possible, in se-

LIBRARY ARCHIVES Kerala Legislative Assembly

lecting candidates hereafter to hold offices, whether they be in the higher services or lower services, till the time comes when the members of the non-represented classes are equally well represented, preference should always be given to the non-represented classes? I say every encouragement in the power of the Government should be given to them. My object is not, as the Hon'ble mover himself said, to raise the question of communalism. Not at all. We have no doubt so much of communal feeling arising out of the grave injustice done to us, and certain communities are submerged and kept down. Even the elementary rights of citizenship are not allowed to large sections ; absolutely injustice. I ask now the Government to give us a helping hand. Otherwise there is no possibility of any salvation to this large section of His Highness' subjects. I expect the Government to give us every possible encouragement. Only then they deserve the name which the Government want to gain for themselves, namely, that they are the protectors of the submerged classes, that they are the uplifters of these communities. The Government are fond of proclaiming from the house tops that they protect the depressed classes. Do it and then earn that reputation. My submission is that the Government will take particular care that preference is given for the applicants for posts in Government service from communities which are not well-represented in service. Of course, I am glad that the Government has directed all Heads of Departments that they should give preference to the non-represented communities in the appointments they make. But I submit even in the Huzur Secretariat, which is the brain centre of the Government, from where all the forces take their origin, they are keeping appointments exclusively for a particular set of people, and they scrupulously avoid the so-called non-caste men.

Mr. A. K. Vengu Ayyar.—It is a very unfair charge, Sir.

Mr. M. K. Raman.—I submit that these facts may be taken into consideration.

Mr. A. B. Salem.—I rise to contribute just two words in the matter of the recruitment of the public service of Cochin. In the new era regard must be given not solely to academical qualifications and efficiency; but also to the absolute need for the widest possible confidence in the administration by eschewing or averting all class or communal monopoly. That should be the criterion. We want our Government to be trusted by the people, and that is of paramount importance, and should not be lost sight of. We do not care whom you select. If you have got this, the widest possible confidence, that is, confi-

LIBRARY ARCHIVES Kerala Legislative Assembly

dence in the Government by all the people, if that is kept in view, that is all my prayer as regards the public service. If you think by appointing members of a particular community the widest possible confidence in the administration can be engendered, by all means do that. If you think that representation of various classes and creeds are necessary for the widest possible confidence in the administration, then certainly adopt that policy. As the present administration stands, there is a feeling among the people that there is a kind of class monopoly prevailing in places according to the tincture and the colour of the particular Head of Department. Let us avoid that. That is all my prayer. That is all what I have to state in this cut motion.

Mr. P. Kumaran Ezhuthassan.—I associate myself with what has been stated by the Hon'ble Member for Chalakkudi and the Member for the special constituency. The reasonableness of the demand being potent, I do not wish to elaborate on that point. And I only bring before the Government that the interests of the non-caste communities as well as of the so-called depressed and backward classes may be kept in view in the matter of recruitment to public service.

Mr. V. V. Anantapadmanabha Ayyar.—I am sorry to say that I have to oppose this cut motion. The Hon'ble Members who spoke about this motion were saying that they were not bringing to this Council any communal question. But I beg to submit that they should not be allowed to blow hot and cold at one and the same breath. For they were at the same time advocating communal representation in the public services. I am opposed to this motion because the adoption of that policy would go against the efficiency of the service as well as against the enlightened policy of the Government. In the administration of the State the public service is only the medium of the administration. We want that medium to be as efficient as possible. I agree that in choosing persons for this administration the Government should not in any way confine to certain communities. What is wanted is that there should not be restriction with respect to certain communities on that ground. To that extent this proposition is correct. But to go further and say that in choosing persons for the service adequate representation of all communities should be given, irrespective of the fact whether it promotes efficiency or not,——

Some Members.—Nobody said that; nobody said that.

Mr. V. V. Anantapadmanabha Ayyar.—To that extent I beg to submit this has to be opposed.

Mr. M. K. Raman.—We cannot believe that efficiency exists only in one community.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. V. V. Anantapadmanabha Ayyar.—Efficiency is not the monopoly of one community; I do grant that. But in choosing persons for the public service, there are certain recognised tests. At the present time we have got examination qualifications, university qualifications, etc. Now, if there are several candidates for a post, they can be selected according to their examination qualifications. There cannot be two persons equally qualified. If there are two graduates, Government can choose him who has got the better marks. So, by these tests you can choose persons for the services. So I beg to submit that I cannot but oppose this motion.

Mr. C. V. Kuriyan.—I cannot find my way to agree with the last speaker. We have suggested something; that may be an approximation to an ideal. We do not say that all these communities should be equally represented. By the mover it is meant that it should be an ideal which we can very gradually arrive at without any inconvenience caused to the General Administration. We are not mercantile commodities, which could be taken one after the other, and we are not labelled like those commodities. What I suggest is as far as possible let the suggestion of the mover be kept as an ideal for the guidance of the General Administration.

Mr. A. K. Vengu Ayyar.—Government's policy has been to No classes give representation to all classes as far as possible. are excluded from Government service in the Standing Orders. And this principle is being kept up, and the several Heads of Departments will testify to this. No community is exempted from being appointed in the public service. And they are also asked that, in making appointments, preference should be given to the unrepresented classes. There is a circular also to that effect.

Mr. M. K. Raman.—Have you got any non-caste-Hindu in your office now?

Mr. A. K. Vengu Ayyar.—There are many who have acted on previous occasions. Instead of them, how can I back up others and recommend them to the Diwan for appointment? Are there no rules for the appointment?

Mr. M. K. Raman.—Are there no applications from non-caste-Hindus for appointment in the Huzur Office?

Mr. A. K. Vengu Ayyar.—I have got a lot; but none of them have been given appointment in the Secretariat as yet.

Mr. M. K. Raman.—So that the Secretariat may be kept without pollution.

Mr. A. K. Vengu Ayyar.—I thank you for that.

Mr. C. A. Kunjunni Raja.—May I know whether any particular appointment is reserved for any particular community?

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. A. K. Vengu Ayyar.—No. To speak the truth, I have been trying to put in one or two applicants from the backward community, but could not find the opportunity. I could not find the opportunity not because of any evil motive.

Mr. C. J. Mathew.—On this assurance from the Government I beg leave to withdraw the motion.

(*The motion was with leave withdrawn.*)

Motion No. 3.

Mr. A. B. Salem.—*To reduce the allotment of Rs. 35,550 for 'Huzur Establishment' by Re. 1.*

Mr. A. B. Salem.—Sir, I have tabled this token motion for the purpose of calling the attention of the Government to the fact that the State Manual of Cochin is out of print. Many honourable visitors, like Hon'ble Mr. Srinivasa Sastri, Dr. Rabindranath Tagore and others, when they were going through the land, wanted to get copies of the State Manual, and they could not be had. If it is really so, I wish the Government would look into the matter, and remedy the defect. It is absolutely necessary that this Manual, that has been prepared at terrible and great labour and pains, should be made available to the public, and should not be allowed to be out of print any longer. I have only to say so much on this particular motion.

Mr. A. K. Vengu Ayyar.—There are copies of the State Manual in stock; some of them are not bound. There is enough stock of that.

Mr. Thomas Manjuran.—If that is so, they may be got bound.

Mr. A. K. Vengu Ayyar.—We have got about 40 books bound even now.

Mr. A. B. Salem.—I do not press the motion. With the consent of the House I withdraw.

(*The motion was with leave withdrawn.*)

Motions Nos. 4—6.

Mr. K. Ayyappan.—*To reduce the allotment of Rs. 74,669 for 'Huzur Secretariat' by Re. 1.*

Mr. E. Ikkanda Warriar.—*Do. by Re. 1.*

Mr. P. Krishna Menon.—*Do. of Rs. 48,839 by Re. 1.*

Mr. C. V. Kuriyan.— *Do. of Rs. 74,669 by Re. 1.*

Mr. K. Ayyappan.—I do not want to move the cut motion standing in my name.

(*Hence the motion was considered withdrawn.*)

Mr. E. Ikkanda Warriar.—I also do not press the motion standing in my name.

(*Hence it was considered withdrawn.*)

Mr. P. Krishna Menon.—Sir, this token motion is tabled for the purpose of inviting the attention of the House to the Government's refusal to allot any contribution to Municipal

LIBRARY ARCHIVES Kerala Legislative Assembly

Councils for next year. I know that self-government was introduced into Cochin through Regulation I of 1085. Taking that as the birth-date of the institution, we are no doubt in 1103; perhaps under the rules applicable to human nature we have reached—I mean the Municipal Councils have reached—the age of majority. If that is the reason why the Government has refused any contribution to Municipal Councils, certainly I could not understand any other reason. But without any specific mention of the reason, I fail to understand why the Government has refused any contribution this year. Turning to some of the back numbers of the volumes of the Proceedings of this Council, the House will find that in answer to question No. 73 of the Budget Session of 1100 Government stated that Government have not followed any hard-and-fast rule in the matter. They have exercised considerable discretion in the apportionment of grants. Now, is it a case of exercise of discretion and that well-considered discretion which has actuated the Government this year to refuse any grant for next year? If so, certainly, though discretion is sometimes said to be action without cause, I believe there are certain definite rules for exercising discretion. Turning to that volume itself, the House will find ample figures for 94 to 99. In 1094 the total grant comes to Rs. 48,200, 1095, Rs. 58,360, 1096, Rs. 30,500, 1097, Rs. 17,035, 1098, Rs. 16,750 and 1099, Rs. 19,679. Taking the rough average we find that the grant comes between Rs. 20,000 or Rs. 25,000, which is distributed over the four Municipalities during these four years 94 to 99. That apparently is the normal contribution. Now I believe this contribution to Municipalities over and above the general reasons was due more to the recognition of the well-known principle. That is so far as the Municipalities were undertaking the duties usually done by the Government. Government ought to think that it is their moral duty as well to contribute their quota for that expenditure undertaken by the Municipality. So far as the Ernakulam Municipality is concerned, with which I am fairly familiar, it will be found that the Government was spending something like Rs. 5,500 for road maintenance every year in Ernakulam. When the round roads were handed over to the control of the Municipality, roughly something like Rs. 5,000 or Rs. 10,000 form the grant made to the Ernakulam Municipal Council. There is that underlying justification for the grant. For it was not a mere gift that was made, and, therefore, if it was not a gift, certainly it had to be controlled by definite principles. There is one more fact which I wish to bring to the notice of the House. If, as a matter of fact, Government is quite unwilling to contribute,—

Mr. A. K. Vengu Ayyar.—Not at all.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. P. Krishna Menon.—If the Government is not willing to contribute, I am speaking only for the Ernakulam Municipality, the Municipality will be perfectly satisfied to give them any grant, if their legitimate dues are given to it due from the Government. Perhaps my meaning is not clear. Now it is a well-known fact that even little tea-houses and coffee shops are licensed in Municipal areas. Who gets the license fee? Certainly the Municipality. Now who gets the licensing fee from the liquor shops? Is that a less dangerous trade than tea or coffee dealing? Coffee shops are licensed because they are brought under dangerous and offensive trades. More probably, the Government thinks liquor shops are not dangerous and offensive, but very innocent and perfectly safeguarding trades, if I may say so. Another legitimate dues that is withheld from the Municipality—I am again speaking of Ernakulam Municipality—is the contribution from the ferry. No doubt, I may be told that it is a royal prerogative or something like that; high-sounding words might be made use of. But what is the good? The landing charges for the whole fore-shore is being collected by the Municipality, because they are given the power. Landing charges include boats, which convey passengers also. Now what does the ferry do here? Are they not carrying passengers from Cochin to Ernakulam and Ernakulam to Cochin? What is the rule by which that income is denied to the Municipality? There is another ferry, a small ferry further north to the town of Ernakulam, the Mulavukad ferry, the income of which also is not given to the Municipality. Now there is one and perhaps a more objectionable practice. That is, under the law, Government buildings are not taxed. I do not know under what principle that provision was incorporated in the law. No doubt, if the Municipal Law was passed through this Council, I do not know whether that clause would have passed through the Council without objection. Whether it would be passed or not, I believe that clause was inserted for the simple reason that, when the Municipalities were given grants by the Government, some exemption should be made in the case of Government also. Now, that, I believe, will come to a good round sum by way of the tax on rentals of Government buildings.

Mr. A. K. Vengu Ayyar.—It is not an exemption, because in other Municipalities in Travancore and British India they are exempted.

Mr. P. Krishna Menon.—I do not know. Is our Government following in all matters the practice of other Municipalities? In any case I have not taken the trouble of enquiring.

Dr. A. R. Menon.—In British all these Government

LIBRARY ARCHIVES Kerala Legislative Assembly

buildings are taxed by the Municipality. I do not know what the practice is in Travancore.

Diwan Bahadur Dr. V. Verghese.—In British all school buildings and charitable institutions like the Hospitals are not taxed ; but all other Government buildings are taxed.

Mr. P. Krishna Menon.—So much the better. But this exemption to Government buildings causes another evil to the Municipality of Ernakulam in particular. That tax is calculated on the rental of the building and the water tax is collected with the tax on the rental, and if there is no tax on the rent, then there is no water tax also. They may be exempted of water tax, if no water is taken by public buildings. But look at the quantity of water they are spending. There are institutions with more than 10, 15 or 20 pipe connections in each building. Look at the quantity of water that is consumed by these buildings to which they contribute not a single pie ! If all these contributions are given to the Municipality I believe I can safely assert that they can stand on their own legs. That seems to be the phraseology used in the Government circular that hereafter Municipalities should stand on their legs. If they are given what is due to them, all Municipalities will stand on their own legs. It is to emphasise this fact that I have tabled this motion.

Mr. K. P. Kannan Nayar.—I also wish to say one or two words with reference to the motion. So far as I am concerned, I confine my remarks mainly to the Ernakulam Municipality itself. I think most of you know that there are more than 25 miles of road within this Municipality. All these roads are to be maintained and kept in proper order by the Municipality itself. There are 1st class roads, 2nd class roads and so on. But you will find all the roads are the worst possible. There is no drainage proper. It is not possible for a poor Municipality like ours to keep these under proper maintenance, unless Government also gives contribution. You know that when most of these roads were handed over to the Municipality to be maintained by it, the Government was giving it some decent contribution. Now Government thinks it proper that no contribution need be given. From the Finance Member's speech it is seen that they are trying an experiment this year whether they cannot withhold the contribution. I submit it is a huge mistake if you do like that. I can only say that the roads will be deplorable, if they are not so already. If you want to stop contribution, you had better take away all the roads and keep them under the P. W. D.

Mr. A. K. Vengu Ayar.—Rs. 7,000 is provided for next year.

Mr. K. P. Kannan Nayar.—It is true Rs. 7,000 is pro-

LIBRARY ARCHIVES Kerala Legislative Assembly

vided for. It is not for this purpose. It is for some proposals by Dr. Dan; that is for experiment.

Diwan Bahadur Dr. V. Verghese.—That is for experiment. Probably if those proposals are given effect to, the Municipality will have to spend only a small amount for the maintenance of the roads.

Mr. K. P. Kannan Nayar.—I think the Chief Medical and Sanitary Officer knows that there are no proper drainage arrangements in this town, and without proper drainage arrangements it is not possible to maintain the roads also in proper condition. Several complaints have been received from the public that the roads in Ernakulam are in a very miserable condition. You cannot blame the Municipality for that. You must, to some extent, blame the Government also.

Dr. A. G. Menon.—In other Municipalities also it is the same.

Dr. A. R. Menon.—So far as the Trichur Municipality is concerned, the round road is not handed over to the Municipality. It is within the powers of the P. W. D.

Rao Bahadur Mr. John Kuriyan.—Probably it might have been handed over to the Municipality.

Dr. A. R. Menon.—Has it been handed over to the Municipality?

Rao Bahadur Mr. John Kuriyan.—I do not know.

Mr. A. K. Vengu Ayyar.—In British parts Medical and Sanitation and Education come under the Municipalities.

Mr. K. P. Kannan Nayar.—So far as Ernakulam is concerned, are there no main central roads here? Here, unlike Travancore, all the trunk roads and the other roads as well are under the care of the Municipality, and I think the contribution that they generally make is Rs. 7,000 for maintenance and Rs. 3,000 for some outright repairs. Here in Ernakulam no outright repairs of roads have been done. Outright repairs without grant from the Government is absolutely impossible. The roads are miserable. You cannot expect a Municipality with little money to satisfactorily maintain the roads. They have to maintain about 25 miles of road, or even more. That aspect of the question has to be considered.

Rao Bahadur Mr. John Kuriyan.—May I know what is the toll income to the Municipality?

Mr. K. P. Kannan Nayar.—I think it is about Rs. 10,000.

Rao Bahadur Mr. John Kuriyan.—That is the legitimate monopoly of the Government.

Mr. Thomas Manjuran.—There is nothing special for the Ernakulam Municipality. Every Municipality has a right to the income from toll.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. A. K. Vengu Ayyar.—In our Municipality it is more.

Dr. A. G. Menon.—I was not referring to any Municipality specially. I was referring only to the Municipalities taken as a whole.

Mr. A. K. Vengu Ayyar.—He was speaking only of Ernakulam.

Mr K. P. Kannan Nayar.—I think I am more familiar with the Ernakulam Municipality than any other. What I wish to say is that it will be suicidal for the Government to try this experiment. It is better that the Municipalities are given a fair contribution. It is true that the Municipality is collecting tolls. You know that the Government vehicles are free from tolls.

Mr. A. K. Vengu Ayyar.—Yes, they are free.

Rao Bahadur Mr. John Kuriyan.—I do not think it will come to hundreds and thousands.

Mr. K. P. Kannan Nayar.—Nobody said so. The exemption is there. That is all what I want to say on this motion.

Mr. S. S. Koder.—Sir, I also support this motion. It is absolutely necessary that Government should come to the help of the Municipality, if the Government think that the roads, drains and other insanitary places should be brought in proper order. So far as I can say about Mattancheri, Mattancheri also requires a large sum to clean their drains, to fill up their marshy places —they have got only marshy places—to call them roads. It is absolutely necessary that money should come from the Government. If the Government is not coming to help us, it will be in a miserable condition. I hope you know the place I have spoken about.

Mr. A. K. Vengu Ayyar.—We are spending enough, I suppose.

Mr. S. S. Koder.—I am thankful for that. There is no income in our Municipality for all those purposes. Money is absolutely necessary from the Government. Sir, the Municipal money would not be enough for all these things. It is impossible

Mr. V. D. Ouseph.—Sir, I know something about the Ernakulam Municipality and I shall say what we experienced during my time as Chairman. Of course it is after a hard contest that I got in with the hope that I shall be able to do something for the town. But I must say there was no money for doing anything. Of course we used to budget for all our needs, but the Government would not sanction them. They generally used to cut down all the figures; they do not even consult us. If the figures are allowed to stand as in our proposed budget the Government will have to grant us more money; if, on the other hand, they are cut down, they can reduce the grant as they

LIBRARY ARCHIVES Kerala Legislative Assembly

like. They were thus used to cut down and bring the figures to 3 or 4 thousand rupees.

Mr. A. K. Vengu Ayyar.—That is not done with that consideration.

Mr. V. D. Ouseph.—Anyhow the rate-payers do not know anything about this. We make our figures and we send it to Government and the Government sends a budget approved where the figures are not what we had sent. Of course it is not my purpose to help the Municipality to the detriment of the Government. The Municipality ought to be the pet child of the Government so that they should see that all their legitimate needs are looked after. That is not what is done. Once this child has been created they look upon it as an illegitimate child. They want to show a big surplus budget and with that end in view would reduce the amount to be given to the Municipality.

Now the figures given by the mover came up only to 1099. The next year's figure, I think, is 3 or 4 thousand rupees. It was hardly enough for the outright repair of one single road. The House will of course be surprised to know that so far as this town is concerned there has not been an outright repair of any one road for so many years simply because the amount granted is not enough even for patch work repairs. If we send a demand for 10 thousand rupees they would cut it down to 5 or 7 thousand rupees. Hence in no year could a single road be brought to a proper condition. If we could repair one road properly every year it would have been alright. But there is no provision for all that. You may call this a big Municipality and a democratic institution but nobody would be able to do any good to the town so long as the Government would not untie the strings of their purse. With these words I support the motion.

Mr. V. K. Kochunni Menon.—I also support the motion. I do not see the reason why the necessary needs of the Municipalities should not be supplied when they are in real need, especially when we have got a surplus budget. A further reason also has been suggested by the mover that, strictly speaking, large sums due by the Government to the Municipality in the shape of taxes on buildings and other things are not paid by the Government. Taking all these things into consideration, I support the motion.

Dr. A. R. Menon.—On a point of information. Can you tell us the capital expenditure spent on water works in Ernakulam?

Mr. P. Krishna Menon.—I can give you the figures. It is not less than 8 or 10 lakhs.

Rao Bahadur Mr. John Kuriyan.—I am sorry I cannot

LIBRARY ARCHIVES Kerala Legislative Assembly

give you very accurate information. In Trivandrum, I know, the palaces are excluded from Municipal taxations ; so also the Government institutions such as schools, courts, the Residencies, etc., but exactly as here, the Municipalities are fighting about it. The Municipalities hesitated very much to take over the roads, and it took a lot of persuasion to induce them to take them up. We had conferences after conferences and then they gradually took it up one by one. I think Nagercoil was the first to do so. They were allowed to collect the tolls. The arrangement was that the Government will give them in the first year what Government were spending on roads. Next year they will reduce it, and in that way, in 5 years or so, Government help will be wiped off. That is the process that is going on. Now, here also Mr. Krishna Menon said the contribution was diminishing. He took an average which is not fair. You ought to wipe out Government help gradually. That is the right thing. That is what a strong, young, vigorous Municipality ought to do. (*Cries of Oh !*)

Mr. P. Krishna Menon.—For your information I may tell you that the young, vigorous Municipality of Ernakulam did so once. It sent up a budget without showing any contribution from Government.

Rao Bahadur Mr. John Kuriyan.—May I continue? Now, when these Municipalities were given diminished contributions they were allowed to levy taxes and tolls. Now they are getting rich very rapidly and in Kottayam they have got such a lot of money that they are opening new roads. That is the sort of thing that will take place.

Mr. V. V. Anantapadmanabha Ayyar.—Sir, I rise to support this motion. Our towns are growing very rapidly, and with the many modern scientific improvements, we shall be lagging behind if we do not improve our towns along with the times. Now electricity has been introduced, and pipe water is being used in almost every town, but we find, Sir, that extreme scarcity of water has been prevailing in Trichur for the last so many years. Some provision has to be made for this and then electricity has to be introduced in our towns. If we do not improve our towns, we shall find that we are not keeping in touch with modern developments. It is the duty of the State to contribute a good proportion to the Municipality. The country people also enjoy the many privileges of the towns as townsmen do. So a portion of the revenue of the State ought to go to the Municipalities as their due and legitimate share. I beg to submit that due provision ought to have been made in the budget. I support this motion.

Mr. T. A. Ramachandra Ayyar.—On a point of informa-

LIBRARY ARCHIVES Kerala Legislative Assembly

tion. I want to know the amount of recurring expenditure on the Chowwara water works incurred out of the public treasury for the people of Ernakulam, after deducting the water cess.

Rao Bahadur Mr. John Kuriyan.—The total expenditure is about 15 or 20 thousand rupees. I shall state exactly what it is later on.

Dr. A. R. Menon.—Out of this Rs. 20,000 you get a water cess of Rs. 9,000. So, Rs. 11,000 is incurred out of the Government treasury?

Mr. A. K. Vengu Ayyar.—I shall give you definite figures later on.

Now, I do not subscribe to all that was said here now; but I may say that the Government are always ready to render help to all the Municipalities whenever there is reasonable necessity to do so.

Dr. A. R. Menon.—Sir, almost all the Members who spoke have been espousing the cause of Ernakulam, and I shall speak for my own Municipality, the Municipality that I represent in this Council. If you go through the various items for the last four years, you will find a remarkable partiality on the part of the Government which is indefensible on any principle whatsoever. Look at the list of special contributions to Municipalities from the year 1094 to 1099. The amount given to Ernakulam is Rs. 13,000 and odd; the amount given to Mattancheri Rs. 52,000, the amount given to Trichur (biggest town) Rs. 5,000 and the 'Cindrella' of the Cochin State, Chittur Rs. 5,000. These are the amounts contributed by the Government. Apart from the fact that they are contributing 8 lakhs of rupees for the water works every year, a recurring expenditure of Rs. 11,000 is made out of public funds. I have no quarrel whatsoever with the Government in giving generous contributions, but what I do object and object most vehemently is the partial and the most scandalous treatment that has been accorded to the Trichur Municipality for the last 8 or 9 years, in spite of protests of the various Chairmen who occupied that place. Sir, let me tell you bluntly this sort of thing shall not be allowed to continue by the people of Trichur. We will take all constitutional measures to force the Government to behave a little more reasonably, decently and impartially. I always used to think that it would be a great thing to Trichur if for three or four months some of the Heads of Departments including the Diwan and His Highness the Maharaja could find the time to stay there and study the condition of our town, and it would have improved much more than it is to-day. A point was raised some time ago when this question of contribution of 5,000 rupees was raised, and one of your predecessors said, "after all is said and done we are giving you 5,000 rupees". That you need not give at

LIBRARY ARCHIVES Kerala Legislative Assembly

all. It is a misconception. The 5,000 rupees grant is not given as charity, but it is given for allowing your cars to enter into the Municipality without tolls. The Chief Engineer, the Police Commissioner or the Diwan will not be allowed to enter into the Municipal limits unless they pay the Municipal tax. No officer is exempted except the Political Agent and, of course, His Highness the Maharaja. Another point is all the Government buildings are liable to be taxed by the Municipality. We are not taxing them. Now we are willing to have the Government take up our contribution and allow us to levy taxes upon your buildings and tolls upon Government vehicles. What I want the House to realise is there is no such thing as contribution given by the Government. They are giving this in a lump sum which we would otherwise have collected on different dates in different amounts. Will you do this so that we may not hear any more of this word "grant" or the giving of Rs. 5,000 contribution? We are sick of that word 'contribution', giving a pittance of Rs. 5,000 for services rendered to you. You glorify that we have been given Rs. 5,000 every year. It is better to understand it distinctly so that you may choose the proper word in putting it in the budget. So I say no contribution has been given to the Trichur Municipality for the last so many years.

Diwan Bahadur Dr. V. Verghese.—Will the Member enlighten us as to what would be the income by taxing the Government buildings?

Dr. A. R. Menon.—We have to make a regular calculation. But what I want to say is, on behalf of the Trichur Municipality I am authorised to state we are willing to forego your contribution, but we will charge you for your buildings and vehicles. Then at least we will have the self-respect that we are not depending upon Government's charity of Rs. 5,000. Municipal contribution in 1097 was Rs. 17,035. "The expenditure now incurred by the Government on account of contributions to Municipalities and of works in connection with town improvement schemes fluctuate considerably as will be seen from the figures in the margin. Instead of these fluctuating disbursements it will be advantageous and convenient to the Government as well as the Municipalities to have the annual contribution fixed and paid in a lump at the beginning of each year." That is what the Special Finance Committee recommends. We do not know whether the Government is going to carry it out.

Then about roads. Even the Municipality at Madras gets Rs. 40,000 from the Government, but you do not give us anything for the road. True, we get our taxes and tolls.

Then there is another point which the Government ought

LIBRARY ARCHIVES Kerala Legislative Assembly

to realise. The people who live in Municipalities pay also the Government tax in addition to the Municipal tax. We are also contributing to the General Exchequer; we pay the land tax. Suppose I live outside the Municipality I need not pay both the taxes. But the mere fact that; I live within the Municipality does not give any relief to me in the matter of Government taxes. Unlike a person living outside the Municipality, a person who lives within the Municipality has to pay the Municipal rates and taxes in addition to the tax he pays to the Government Exchequer. Therefore, we have a right to claim a portion of the Public Revenue not as a matter of charity or condescension on the part of the Government but as a legal and moral right Then there is another point. The town of Trichur or the town of Ernakulam does not belong to the people of Trichur and Ernakulam alone, but it belongs to the whole of the people of the Cochin State. These towns are being made use of by the people of the whole State—you have got all your courts and public buildings, and people from other parts come and enjoy the amenities of town life just as the people living within the town do. For this reason also the Municipality has a right to claim support from the Government. But what seems a more cogent argument is that no Municipality will be able to carry on its duties properly unless Government very coolly comes forward and renders help to the Municipality. There is a tendency on the part of the Government, I am sorry to say, to treat these Municipalities as though they are foreign institutions, instead of treating them as their trustees, as said in the Proclamation when the Councils were handed over to us. You treat us as though we are foreign institutions. You serutinise and you meddle with every item, as though 21 idiots are sitting there who are not expected to know anything. We feel these things very seriously. We do not get any T. A. We go and sit till 7 or 8 o' clock to consider all questions and come to decisions, and what we have arrived at after careful consideration is often set aside by simply saying " Government cannot find their way to grant us our requests ".

President.—The Member has exceeded his time.

Dr. A. R. Menon.—The subject was so important, Sir. I shall not proceed further as I intend giving an adjournment motion on the same subject, and I shall then deal with these subjects in more detail.

Mr. P. Krishna Menon.—I press the motion to a division.

Dr. A. G. Menon.—We have not understood the position of the Government.

Mr. A. K. Vengu Ayyar.—I have already said Government

LIBRARY ARCHIVES Kerala Legislative Assembly

are always ready to render help, whenever there is reasonable necessity.

Dr. A. G. Menon.—The word 'reasonable' cannot be understood.

Mr. A. K. Vengu Ayyar.—The word "necessity" also cannot be understood. Whenever Municipalities ask for money Government must give. That will be the position then. We shall no doubt consider the matter.

Mr. Thomas Manjuran.—This is an important matter, and if you can give an assurance, then there is no necessity to press the motion.

Mr. A. K. Vengu Ayyar.—It shall be considered. No assurance can be given now.

Mr. P. Krishna Menon.—I press the motion, and in doing so, I invite the attention of the House to two short extracts, for which, I understand, the Government has paid very dear. "The most urgent problem in the improvement of the Ernakulam town is what to do with these swampy areas, those tracts that lie through the centre of the town from north to south improperly drained and full of stagnant ditches and filths." The other is "the other problem that should engage our attention is the development of road communication." These facts are revealed through an authorised publication, which has been before the Government for ever so many years. If that is the confirmation of the serious complaints of the Municipality, I consider Government has to pay at least more than two thousand rupees. Therefore, unless I get a definite assurance from the Government, as my friend, the Hon'ble Member for Trichur, said, I do not want any grant or contribution, but I want payment by way of contribution on definite principles. It was said in 1100 that there is no definite policy or principle. I want to lay down the principle of the grant and thus make the grant according to the principle. If the principle is accepted, then there will not be room for any partiality as complained by the Hon'ble Member for Trichur.

Mr. A. K. Vengu Ayyar.—In the Special Finance Committee's report also there is some reference regarding it. Without considering that, we cannot make any definite promise.

Diwan Bahadur Dr. V. Verghese.—I should like to say a word in connection with the observation made by the Hon'ble Member for Vyttila. There is a report now ready and under the consideration of the Government, submitted by the town planning expert Mr. Dann, who dealt with the subject of improving the condition of the swampy areas, which form the middle part of the Ernakulam town. It is really a menace to the people, and the Government have been advised by Mr. Dann

LIBRARY ARCHIVES Kerala Legislative Assembly

to deal with the situation as early as possible. So, for special purposes like that, the Government will view such requests with the most sympathetic consideration. But to say that the Government should make a regular contribution to carry on Municipal administration is against all systems of Municipal government. In such special cases, I am sure Government will give that serious consideration which it deserves. I think the principle must be accepted that the Government will view each case in its own merits. It is wrong to say that partiality is shown to this Municipality or that Municipality. The Mattancheri Municipality seems to have received 52,000 rupees. Very well, is it any wonder that, to improve such a filthy overcrowded place, such a large grant was given? Is it a large sum considering all the conditions there? No partiality at all is shown to any Municipality. Government should not be taxed with showing any partiality.

Dr. A. G. Menon.—By granting Rs. 52,000 to the Mattancheri Municipality, the other Municipalities have been neglected, with the result that the process of degeneration and filthiness will creep into the other Municipalities also in course of time.

President.—The question before the House is that the allotment of Rs. 48,839 be reduced by one rupee.

Dr. A. G. Menon.—The main point is in the resolution.

President.—Yes, 'that the Government should not refuse to contribute to the Municipalities, before they have given them what they are entitled to get from the Government.'

The motion was put and agreed to.

Mr. A. B. Salem.—I demand a poll, Sir.

Diwan Bahadur Dr. V. Verghese.—There is no use of taking a poll.

Mr. Thomas Manjuran.—You cannot say that. When a poll is demanded, it must be taken.

Mr. A. B. Salem.—We want to know if any non-officials have voted for the Government.

(It was verified and there were no non-officials against the motion. So the demand for a poll was not pressed.)

(*Motion No. 7 was considered withdrawn since it was not pressed.*)

Motions Nos. 8—9 and 9 A

Mr. A. B. Salem.—*To reduce the allotment of Rs. 74,669 for 'Huzur Secretariat' by Re. 1.*

Mr. C. J. Mathew.—*To reduce the allotment of Rs. 3,427 for 'Legislative Council Establishment' by Rs. 10.*

Dr. A. G. Menon.—*To reduce the allotment of Rs. 600 for 'Bonus to Reporters' by Re. 1.*

Mr. A. B. Salem.—Sir, I have tabled this motion to call the attention of the Government to the present system prevailing

LIBRARY ARCHIVES Kerala Legislative Assembly

in the Secretariat. The Secretariat, according to me, has become weak and disorganised, and is not in a fit condition to function in the State. Delay and dilatoriness are its characteristics to-day. I will quote one single instance, Sir. That will tell you most emphatically the delay and dilatoriness with which matters are dealt with. In the first year of this Council, in the very first budget, Rs. 25,000 was budgetted for the purpose of encouraging an electric scheme in Mattancheri, and up to this day (we are considering the 4th budget) that money is not yet to hand, although it is going to come. That allotment of Rs. 25,000 passed in the first meeting of this Council, 4 years ago, is only coming now. This is spelling delay in every choir of the Secretariat. There are several other matters like that pending consideration. Such a system, the Cochin people cannot stand. Tell us one way or the other, and we are satisfied. If we cannot get what we want, we will go elsewhere, and see if we can get there what we want. To keep us expecting, expecting and expecting is not a thing that is desirable. I may tell you, Sir, that during the reign of the then Mr. A. R. Banerji (now Sir A. R. Banerji) no subject of the Cochin State had sent a communication to the Huzur without getting some reply or other on the 3rd or 4th day. Cochin State can be traversed from north to south within a couple of hours. No delay took place during that time. I ask you to compare how long a petition or request now takes to get a reply in the Secretariat. Then again, Sir, the weakness of the administration has become proverbial. We had an instance during the general discussion of the budget brought forth that, when matters vitally affecting the fair name of the Government are brought to the notice of the Government, no definite action and no action at all is taken. The matter again goes through the process of elaborate consideration like a hen sitting upon its eggs and bringing forth sometimes nothing. That is the condition to-day.

Again, Sir, I ask you also to take the people into your confidence. The one characteristic of the present Secretariat is that every request for information, if it is possible, will be met with a kind of attitude, which ostensibly is prepared to give you all information, and which in reality never gives any information. That kind of attitude, I say, is the unkindest cut of all. "We are always prepared to give you every information." This is on the lips of the Secretariat. But in their action, they give us no information at all. I will quote one instance, Sir. I have had the privilege of being a Member of the Standing Finance Committee of this year, and the several pieces of information that we called for, and which have been promised to be sent by the Secretary to the Diwan, are still pending preceit.

LIBRARY ARCHIVES Kerala Legislative Assembly

I have noted them, and I will come to those things in their places. I am giving you an example, a recent example, of information withheld. The same complaint we have with reference to answering questions in this House. Wherever we want some definite information, for example, to bring some definite matter into relief, what is it we are told? "Refer to that Gazette, refer to this Gazette, refer to that paper, refer to this paper," as if we are to furnish the information to the public. Therefore, Sir, I say this is an all-important matter, which should engage the serious attention of the Government. I am not speaking from a sense of carping criticism—far from it. I want all these systems to be changed, and even though we have now got an absolutely irremovable, irresponsible Government, let us at least make it responsive in the future. That is all my request.

Again, Sir, you do not take us into your confidence. Just now the Hon'ble Member for Medicine said, that one town planning expert Mr. Dann has inspected some places in Ernakulam and submitted a report. As a Member of the House living in Ernakulam I did not know that Mr. Dann ever came to this place. He came, he saw, and went. But the people of Cochin have not been enlightened in the least about it. Could not a Press Communique be issued in the country, that such and such plan is under consideration or is being mooted? Why are we citizens here, if we are not allowed to know what improvements are going to take place in our town? And can we not be given a chance to say what we have to say upon these matters? No Communique has been furnished. In dealing with such vital matters, we are not taken into your confidence—the confidence which we expect our own Government to have. I want to say one more word to finish the discussion.

It should not be said of our Cochin Government that we are making the atrical imitations. Whatever you do, do it in reality and in earnestness. Let it not be for a mere eye-wash. I think the central organisation of the administration should be the place where reformation must be brought in, and it should be made to bend to the popular will and to respond to it in an abundant measure.

Mr. A. K. Vengu Ayyar.—I do admit that there is some delay here and there in an office. This is due to the enormous amount of work that have to be turned out. There will be much improvement if the report of the Special Finance Committee is carried out. Then I must say that a reason for the delay rests in the Directors, or the Legal Advisor himself, than upon the Secretariat.

Mr. A. B. Salem.—I repudiate that charge. There has been no delay on my part at all.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. A. K. Vengu Ayyar.—I am sorry, I withdraw the remark then.

Mr. A. B. Salem.—If these things are noted by the Government, I shall withdraw the motion with the consent of the House.

(*The motion was with leave, withdrawn.*)

(*Motion No. 9 was considered withdrawn since it was not pressed.*)

Dr. A. G. Menon.—Sir, some of the speeches were not reported in the Official Report. The Secretary said that it was sent to the Press three months ago. I just bring to the notice of the Government that no bound appendix for one year has been supplied. In the last two years the appendices were not supplied.

Mr. T. K. Krishna Menon.—They are also in the Press.

Dr. A. G. Menon.—With the consent of the House I withdraw the motion.

(*The motion was withdrawn with leave of the House.*)

Motions Nos. 10—13.

Mr. K. P. Kannan Nayar.—*To reduce the allotment of Rs. 15,599 for 'Legislative Council' by Rs. 100.*

Dr. A. R. Menon.—*To reduce the allotment of Rs. 15,599 for 'Legislative Council' by Rs. 11,709.*

Mr. K. J. Antony.—*To reduce the total allotment of Rs. 1,10,900 under 'Demand No. XIII' by Rs. 10.*

Mr. C. Barton Wright.—*To reduce the total allotment of Rs. 1,10,900 under 'Demand No. XIII' by Re. 1.*

Mr. K. P. Kannan Nayar.—My object in tabling this motion is only to bring to the notice of the Government the harmonious relationship that should exist between the official section and the non-official section of the Council. I say that the official section ought to be more responsive in answering questions. We have heard many complaints here that the questions are not answered properly, and that on many occasions they are more evasive than satisfactory. I will take only one instance. Sir, yesterday, a question was put here with reference to the number of students that were admitted in the Junior B. A. Class, in the year 1926. The answer given is "the correct figures are not available here". I really cannot understand what is meant by that. Is it because that the Admission Registers are destroyed? Where are they available then? Are they available anywhere? Suppose the Secretary to the Diwan asks that question to the Head of the Department, the Director, would you have been satisfied with the answer? This is not the only instance. It would be better if the official section of the House would feel the responsibility a little more in trying to satisfy the non-official section by giving the information that

LIBRARY ARCHIVES Kerala Legislative Assembly

it asks for. (*Hear, hear.*) It is only to impress that on this House that I have brought this motion. Of course, many Members expressed that during the budget discussion itself. This is generally the feeling that is felt by the non-official section, and that very keenly too. Let us move in a more harmonious manner, let us co-operate better, so that we may achieve better improvements and better results. (*Hear, hear.*)

Mr. A. K. Vengu Ayyar.—That is also our object.

Mr. K. P. Kannan Nayar.—That is the object expressed, but please express that object by translating it into action.

Mr. A. K. Vengu Ayyar.—I am sorry that my body is opaque.

Mr. K. P. Kannan Nayar.—There are two motions mentioned there. I am not pressing the other motion.

Mr. A. B. Salem.—I take this opportunity to speak upon the Legislative Council cut, because my cut motion upon the Legislative Council this year met with a sad fate. I do not know, Sir, under what provision of law a cut motion can be disallowed. But, I do not wish to trouble you with such a question of nicety as to whether a cut motion can be disallowed under any provision of this Regulation by the President of the House or not, because somehow or other it has been disallowed. I may, therefore, for the time being, speak what I have got to say on this cut.

Mr. T. K. Krishna Menon.—It has not been finally disposed of.

Mr. A. B. Salem.—This is my only opportunity any way. So, I have no quarrel on this cut, and I wish to bring to your kind notice that, when we give notice of a cut motion, it is for some reason. And if that reason is not acceptable, inside this House of course, I may put up some other reason. If I touch upon any objectionable matter or trespass on any provision of the Regulation or Rules, I can be called to order. That position I accept. But to remove the cut from the agenda would not be fair, according to my light; I want that matter to be considered.

I have risen on this cut for the purpose of bringing to your notice that reforms in the Legislative Council are absolutely necessary. This Council should not be mere imitation. Cochin State is an advanced State. Keen observers like Mr. Whitehead and others have held the opinion that of all place in India Cochin is the country where the experiment of Responsible Government should be made, especially as Cochin and Travancore are advanced, compact homogeneous areas. If things go wrong, we can go back easily. This is the opinion of Bishop Whitehead, a gentleman, who is intimately connected

LIBRARY ARCHIVES Kerala Legislative Assembly

with India and the Madras Presidency. Now, Sir, what do we ask? We are asking you nothing more than what has been claimed from the Himalays to Cape Comorin. In this very town the Kerala States Subjects' Conference was held, and what happened I shall tell you. Sir, it pains me to see, to feel, that our Government at present is not even responsive enough to handle and take in any vital resolution passed by the subjects of the State. The conjoint deliberation with the subjects of the Kerala States in the form of resolutions have been forwarded by them to the Diwan to be submitted to His Highness. The Secretary to the Conference took the trouble of sending to the Government of Cochin the resolutions passed by the All States Subjects' Conference, and it met with scant courtesy, the communication itself being returned unto him. Is this responding to public opinion? Public opinion, I may tell you, Sir, is the basis, or are the pillars of all administration. Administration that cannot carry public opinion with it must fail. What is the public opinion to-day? The Legislative Council must really be a Council that guides the irremovable executive of to-day. If the irremovable executive of to-day is not prepared to be guided by the Legislative Council, and if they are not going to respond directly to the wishes and the demands of the Legislative Council, then you have the spectacle of the cart being put before the horse. And you will have a topsyturvy system, which, to all intents and purposes, can never function as the Government of the land. The Legislature is the body that should guide the Executive, and to have the spectacle of an Executive guiding the Legislature is an anomaly, and it is a misnomer to call such a Council a Legislative Council. Therefore, Sir, I ask you to respond to public opinion as far as possible when the Legislative Council is concerned and try as far as possible to associate the people more intensely with the administration, and thus give relief to them in the coming years, and thus make our Gracious Highness' wish a success.

Mr. M. K. Raman.—With regard to the method of answering questions, my Hon'ble friend, the Member for Vellarappalli, has already dealt with. I wish to bring to the notice of the House one more answer that was given by the Government the day before yesterday to Question No. 13, viz., "Government do not propose to publish the correspondence". Not only are we not given the answer that we ask for but also we are offered an insult by the mode of expression. There are several other answers to illustrate the same thing. Another answer is, "The Government do not think it necessary to place the papers on the Table". I do not know whether the Member for the Government on the other side fancy that we, non-official Members on this side, are thei

LIBRARY ARCHIVES Kerala Legislative Assembly

subordinates. They do not give us a courteous answer even, which does not speak well of the Government.

Mr. A. K. Vengu Ayyar.—What would be the courteous mode of expression ?

Mr. M. K. Raman.—That the Government ought to know. Your answer very often is an insult to an injury. My submission is that such an answer is not in keeping with the dignity of this House. In this connection I wish to bring to the notice of the House one passage from the well-known book "Mother India". The well-known author, Miss Mayo, speaks of the Indian Legislative Council. I do not want that our Council should be a specimen of that type. (Read the quotation.)

Rao Bahadur Mr. John Kuriyan.—That refers to the non-official side.

Mr. A. B. Salem.—The non-official side has not accepted that book at all. That ought to have been burnt like a bonfire.

Mr. M. K. Raman.—She has not visited any of our Legislative Councils. If she should have done that, she would have no doubt gone with a better impression. Still I do not however want that a visitor should get any bad impression. I beg to call the kind attention of the Government in regard to the mode of answering of questions.

Mr. K. P. Kannan Nayar.—May I know the attitude of the Government with the motion ? The point of division is the manner of answering questions, the supplementary questions and the general attitude.

Mr. A. K. Vengu Ayyar.—I need not say the general attitude of the Government. In regard to answering of questions, we shall be particular to answer them satisfactorily.

Mr. A. B. Salem.—Satisfactorily to whom ?

Mr. A. K. Vengu Ayyar.—It may not be satisfactory to you. It is a matter of opinion. I say, we shall try to satisfy you by answering courteously, and if possible satisfactorily.

Mr. K. P. Kannan Nayar.—We take the assurance. I withdraw my motion with the leave of the House.

Mr. A. K. Vengu Ayyar.—There may be mistakes also. I do not deny.

(*The motion was with leave withdrawn.*)

President.—Motion No. 11, Dr. A. R. Menon.

Dr. A. R. Menon.—Sir, I, with the consent of the House withdraw my motion.

(*The motion was conoidered withdrawn.*)

President.—Motion No. 12, Mr. K. J. Antony.

Mr. K. J. Antony.—Sir, I withdraw this motion with leave of the Council.

(*The motion was considered withdrawn.*)

President.—Motion No. 13. Mr. C Barton Wright

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. C. Barton Wright.—*General Administration—Special Finance Committee.*

Sir, my object in moving this token motion is to bring to the notice of the Government the urgent necessity of carrying out some of the important recommendations of the Special Finance Committee, from the beginning of the next official year. I find on page 84 of the budget the allotment of Rs. 2 lakhs as a lump provision for reorganisation of Departments after consideration of the report of the Special Finance Committee. I do not know whether the final consideration of the report will be done without further delay, or whether it will be indefinitely postponed, which appears to be a *Mamool* in this State. I hope that the resolution standing in the name of Mr. K. P. Kannan Nayar, the Member for Vellarappalli, will be accepted, and a special meeting of this Council will be held early in 1104 to discuss fully the Committee's report. But pending this final consideration, I request the Government to accept such of the changes as have been unanimously accepted by the Special Finance Committee, viz., the enhancement of the pay of the subordinate officials, separation of the Panchayat Department, the establishment of a third division in the P. W. D., and an increased allotment for irrigation.

Further the lump sum provision of Rs. 2 lakhs for reorganisation of Departments after consideration of the Special Finance Committee's report is insufficient. I think at least another one lakh of rupees should also be provided, and the disbursement should take effect from Chingam 1104, and payment should not be deferred until the end of the year.

Mr. A. K. Vengu Ayyar.—We have already stated that the proposals of the Special Finance Committee will be considered only after ascertaining the views of the Council early next year, and in regard to certain other recommendations, which the Member for the Planters said it may be brought at once, that may be practically to issue piece-meal orders on a matter like this. It is not possible to pass piece-meal orders when a consolidated report has been submitted to the Government and is pending the consideration of the recommendation by the Council.

Mr. C. Barton Wright.—I withdraw my motion.

(*The motion was with leave withdrawn.*)

Motion No. 14.

Mr. V. D. Ouseph.—*To reduce the total allotment of Rs. 1,10,900 under 'Demand No. XIII' by Re. 1.*

Mr. V. D. Ouseph.—This motion is to bring to the notice of the Government that very many important matters are unnecessarily delayed by the Government servants. Of course there is a rule, as all of you know, that, before a temple or a church or a mosque is to be constructed, Government sanction is necessary, and for that purpose there is a Regulation also. These

LIBRARY ARCHIVES Kerala Legislative Assembly

matters take very very long time before disposal. Of course I have particularly in view an application by the inhabitants of Potta consisting of about 200 families for the construction of a church in that village. I think it is more than a year since the application was submitted and no final disposal has yet been made. The application is made to the Diwan who sends it to the Diwan Peishkar, it then goes to the Tahsildar and then to the Parvathiam and then to the Menon. All sorts of objections are raised by these officers. The paper goes back to the Head Office and for a long time they are delayed there. I am told that it is more than six months since the last reminder was made in this matter. It is still pending there. It is only for the purpose of bringing to the notice of the Government that all these delays may be avoided as far as possible. With these remarks I withdraw this motion.

(*The motion was withdrawn with leave.*)

Motion No. 14 A.

Mr. T. A. Ramachandra Ayyar.—*To reduce the total allotment of Rs. 1,10,900 under "Demand No. XIII" by Re. 1.*

President.—Motion No. 14 A. Mr. T. A. Ramachandra Ayyar.

മിസ്റ്റർ ടി. എ. രാമചന്ദ്രയ്യർ.—ഈ ഉപക്ഷേപം ഞാൻ അയച്ചത് ഗവൺമെണ്ടിന്റെ ശ്രദ്ധയിൽ ഒരു സംഗതി കൊണ്ടുവരുവാൻ മാത്രമാണ്. ഈ കൌൺസിലിലേയ്ക്കുള്ള മെംബറന്മാരെ എല്ലാവരേയും തിരഞ്ഞെടുക്കാൻ അനുവദിക്കാതെ ചിലരെ നോമിനേറ്റ ചെയ്യാൻ നിശ്ചയിച്ചിട്ടുള്ളതിന്റെ ഉദ്ദേശം എന്താണു? ഏതു സമുദായത്തിനാണൊ കൌൺസിലിൽ പ്രാതിനിധ്യം കിട്ടാതെ വരുന്നത് ആ സമുദായത്തിൽ നിന്നും ചിലരെ നിയമിക്കണമെന്നുള്ള ഉദ്ദേശത്തോടു കൂടിയല്ലെ? എന്നാൽ ഇക്കൊല്ലത്തെ നിയമസഭയിൽ ഒരു നമ്പൂതിരിക്കു് പോലും മെംബറായി വരാൻ സാധിച്ചില്ല. തിരഞ്ഞെടുപ്പിൽ അവക്കു് വിജയവും ലഭിച്ചില്ല. ഗവൺമെണ്ടു് നോമിനേറ്റ ചെയ്യും കണ്ടില്ല. നമ്പൂതിരി സമുദായം ജനസംഖ്യയിൽ കുറവാണെങ്കിൽ നികുതിയിനത്തിൽ വലുതായ ഒരു സംഖ്യ ഗവൺമെണ്ടിലെയ്ക്കു് ആദായം വരുത്തുന്നുണ്ടു്. നികുതി ഇനത്തിൽ ഏ ലക്ഷത്തോളം രൂപാ വരവുള്ളതിൽ നൂറ്റിമുപ്പതു രൂപാ ആ സമുദായത്തിൽ നിന്നുമാണു്.

മിസ്റ്റർ. തോമസ്സ മാഞ്ഞൂരാൻ.—അതിനു ജന്മി മെംബർ ഉണ്ടല്ലൊ?

മിസ്റ്റർ. ടി. എ. രാമചന്ദ്രയ്യർ.—ജന്മിമെംബർ നമ്പൂതിരി അല്ല. പ്രത്യേകിച്ചും നമ്പൂതിരി കുടുംബ ബാല്യിന്റെ ശരിയായ ക്ഷേമം എന്താണെന്നു് ഇതേവരെ അറിഞ്ഞിട്ടില്ലാത്ത സ്ഥിതിക്കു് വിശേഷിച്ചും അവരുടെ ഒരു മെംബർ ആവശ്യം ഉണ്ടായിരിക്കേണ്ടതായിരുന്നു. ഗവൺമെണ്ടു് അവരെ മറന്നുകളയുകയും ചെയ്തു. ഈ സംഗതിയെ ഞാൻ ഗവൺമെണ്ടിന്റെ ദൃഷ്ടിക്കു് വിഷയമാക്കുന്നു.

LIBRARY ARCHIVES Kerala Legislative Assembly

പ്രസിഡെണ്ടു്.—ഉചക്ഷേപം പിൻവലിക്കുന്നുവൊ?

മിസ്റ്റർ. ടി. എ. രാമചന്ദ്രയ്യർ.— അങ്ങനെ അ സമുദായത്തിൽ നിന്നും ഒരാളെ നിയമിക്കാത്തതിനുള്ള കാരണം എന്താണെന്നു് സഭയ്ക്കെങ്കിൽ നിന്നും അറിയിച്ചാൽ കൊള്ളാം.

Mr. A. K. Vengu Ayyar.—It is not the point. Nomination is not intended for a particular community. The Nambudiries, I think, stood for election, and they failed. And it is bad on principle to nominate persons who stood for election and who failed.

Mr. C. A. Kunjunni Raja.—What is the exact number that stood for election ?

Mr. A. K. Vengu Ayyar.—I hear two Nambudiries stood for election and failed. They are not proper persons to be nominated.

Mr. Thomas Manjuran.—We had them in the last Council.

Mr. K. P. Kannan Nayar.—Some, having stood, withdrew.

Diwan Bahadur Dr. V. Verghese.—Last time they were elected Members.

മിസ്റ്റർ. ടി. എ. രാമചന്ദ്രയ്യർ.—ഇതന്മാരിൽ നിന്നും ഒരാൾക്കു് പൊതു തിരഞ്ഞെടുപ്പിൽ മെംബർസ്ഥാനം ലഭിച്ചു. എന്നിട്ടും അവർക്കു് പ്രത്യേക പ്രാതിനിധ്യം നൽകി. മുസൽമാന്മാർക്കും അങ്ങനെ ഉണ്ടായിട്ടുണ്ടു്. അവർക്കു് പൊതു തിരഞ്ഞെടുപ്പിൽ വിജയം ലഭിക്കുന്ന കാരണവും പറഞ്ഞു അവരുടെ ഈ പ്രത്യേക സ്ഥാനങ്ങൾ ഇല്ലാതാക്കാനാണൊ വിചാരിക്കുന്നതു്?

മിസ്റ്റർ. എ. കെ. വെങ്കുഅയ്യർ.—ഇപ്പോൾ അങ്ങനെ ഉദ്ദേശിച്ചിട്ടില്ല.

Mr. Thomas Manjuran.—That is a point that cannot be raised in this Council.

Mr. S. S. Koder.—I won't come next time.

(*The mstion was with leave withdrawn.*)

Motions Nos. 15—18.

Dr. A. R. Menon.—*To reduce the total allotment under "Demand No. XIII" by Re. 1.*

Do. do. by Re. 1.

Do. do. by Re. 1.

President.—Motion No. 15, Dr. A. R. Menon.

Dr. A R. Menon.—The object of this token motion is to draw the attention of the Government to the active participation of public servants in the recent Legislative Council elections. I am really very sorry that such a motion should be brought to the notice of the Government by myself. Unless I have adequate reasons and evidence, which I am prepared to adduce before any impartial Government Committee, to prove

LIBRARY ARCHIVES Kerala Legislative Assembly

the active participation not only of the subordinate staff and menial staff which I may produce, but also those who occupy high position in the State and who ought to know better than meddling with elections, I would not have brought this. I say, such instances, not once but many a time, took place during this election, and I consider it my duty to bring it to the notice of the Government, that such undesirable and unjustifiable interference on the part of officials to select such candidates, who will wag their tail or ear in this Council, should not be allowed, and if once allowed, this Council will fall into utter disrepute. Now, Sir, if anybody questions this, as I say, I am prepared to prove this statement. I am a person who forgets an injury very soon, and so I don't wish to mention the names, not because I am afraid to mention the names, or not because I have not ample evidence to prove their participation. What I want to bring to the notice of the Government is that the Government should, having made enquiries into their conduct, at least insist upon their remaining neutral hereafter. Otherwise I apprehend that there shall not be that peace, that mutual respect between the official block and ourselves, and there shall only remain bicker, which will sometimes end in disgraceful scenes in this House. I mention only one or two cases without mentioning the names. The Departments that actively participated in this election are the Revenue Department and the Medical. In the case of the Revenue Department, the Government have to see representations from both the parties about the conduct of a *Parvathiakaran*, who actively participated in the election. He went in a motor car, took part in the elections, and had a feast on the day after the election was over.

Is it your intention that your paid officers should be allowed to meddle with this election? Do you think that any self-respecting man, any person who has got any occupation, will come into this Council under such conditions, conditions dishonourable both to the Government and to ourselves? As I said, whatever might have been the intention at the beginning, it is always better to shut one's own eyes in matters like this after calling the attention of the Government to the misbehaviour of the official. In defiance of the order issued by the Government and published in the Cochin Government Gazette that no officer shall directly or indirectly participate in elections, is it fitting? I don't wish to deal with this subject. My object was only to bring this to the notice of the Government. I beg leave to withdraw this motion.

(*The motion was with leave withdrawn.*)

President.—Motion No. 16, Dr. A. R. Menon.

Dr. A. R. Menon.—Sir, this resolution was tabled to discuss the practice of giving extensions to high officials in the

LIBRARY ARCHIVES Kerala Legislative Assembly

State, in spite of the protest of this Council, and especially, they are too obvious, to point out the invidious distinction between the higher and lower grades of officers in the matter of such extensions. Sir, it has been my painful duty and also my laborious task to instil a little responsibility and self-respect in the case of those officials who stick to their places in defiance of the Regulations. I had brought to this Council some time ago a resolution saying that the rules governing retirement should be so altered so that the Government may not open themselves to the attack of this House. Now, when I get up and talk, you are so powerless to defend yourselves because my case is so strong that you violate your own rules and regulations, and in order that you may be able to defend yourselves, I advise you, though the advice coming from this side should be taken in with caution, to so alter your Regulation that such questions may not be discussed. We, as representatives of the people, come here to criticise the official action, but at the same time we have a duty towards the officials also to espouse their cause when their interests are sacrificed by avarice and self-interest. I conceive that the public are the masters of the officials. It is the duty of these masters to espouse the cause of their officials. It is in this spirit, since the interests of the lower grades of officials have been sacrificed by the higher grade, that I bring this motion to the notice of this House. There are cases, and it is among you, among the officials in this House, who have been given three times or four times extension after the age bar has been attained long long ago. And it is not consistent with public interest, with the sense of public duty that such ridiculous and most unreasonable violation of public rules are indulged in by the Government. Whatever may be the motive of the Government, and I don't question their motive, unless they state cogent reasons why it is necessary to retain officials, who have been already retired either on account of age or of the infirmity associated with age, I say, unless the Government are in a position to convince us, I plead the Government guilty of dereliction of duty.

Now, take the other side. A gentleman retired applies for an extension of one year. As he is getting only Rs. 200 he is refused. A number of applications are pending, and I know you are going to refuse all of them, because they have not got influence, they have not got people to espouse their cause occupying high positions. I say, so far as I am concerned, I am bound to attack the Government so long as they show invidious distinction between high and low, rich and the poor. Not only I, but a large number of people of this State feel that the Government, in defiance of this House and in defiance of the public opinion,

LIBRARY ARCHIVES Kerala Legislative Assembly

is acting thus, simply because they want to help a few, who know on which side of the bread the butter is spread. It is only for this reason, I have nothing personal in this matter, here, I say this question should be reconsidered by the Government, because this question is creating discontent among your officials and a discontented official is a danger to society.

Mr. A. B. Salem.—Sir, I rise to support that proposition. Our State should not be made the Panjra-pole for persons, who are not wanted elsewhere, who have done their duty elsewhere, to be tethered here and kept well fed at public cost. I certainly protest against that policy of the Government, and the sooner it is changed, and the sooner the attention of higher authorities that control the destinies of the State now are drawn to this state of affairs, the better for all concerned. Imagine, Sir, the feeling of people, robust, energetic and healthy in the prime of life, restive to do their best to their country and by the Cochin service, being shut out of places which should legitimately be theirs, by your importing into the State service, old people who have done their best elsewhere, who are bound to rest, and who ought to be in their retirement, enjoying the benefits of their past career. Sir, are you not doing an injustice by still retaining them again? You are doing that, because their salaries are not votable in this House. Were their salaries votable in this House, this House would have thrown out the estimate bag and baggage, and would have sent these officers out of service long long ago. I am emphasising upon this matter, because in the Medical Department you have got a gentleman, who has passed sixty, retained in spite of public protest. I say, whatever be his merits as a physician, he ought to be retired from the Cochin service, or at least he ought to be submitted for medical examination for further fitness in the Cochin service. Therefore, I submit with all humility that the attention of the British Government should be drawn to this matter, and they must be told that their pensioned officers should not come here any more, even though requests may be made by persons interested in them. I, therefore, heartily support this cut motion.

മിസ്റ്റർ. കെ. അയ്യപ്പൻ.—ഈ ഉപക്ഷേപത്തെ സംബന്ധിച്ചു് എനിക്കും ഒന്നു പറയാനുണ്ടു്. ൫൦൦ രൂപാ ശമ്പളം വാങ്ങിയിരുന്ന ഒരു ഉദ്യോഗസ്ഥൻ ഇപ്പോൾ മൂവായിരം രൂപായും പെൻഷൻവാങ്ങി ജീവിക്കുന്നുണ്ടു്. ഒരാളുടെ പ്രായംനോക്കി ഉദ്യോഗകാലാവധി നീട്ടികൊടുക്കുകയാണെങ്കിൽ അതു് എല്ലാവരുടെ കാര്യത്തിലും അനുഷ്ഠിക്കണം. ൫൦൦ രൂപാ ശമ്പളം വാങ്ങിക്കൊണ്ടിരുന്ന ഒരാൾ മൂവായിരം രൂപാ പെൻഷൻവാങ്ങി ഇരിക്കുക എന്നതു് എത്ര കഷ്ടതരമായിട്ടുള്ളതെന്നു് ഗവൺമെണ്ടു് ഒന്നു ആലോചിച്ചു് നോക്കിയാൽ മതി.

LIBRARY ARCHIVES Kerala Legislative Assembly

മിസ്റ്റർ. ഇ. ഇക്കണ്ടവാരിയർ.—അതു് ആരാണെന്നു് പറയാമോ?

മിസ്റ്റർ. കെ. അയ്യപ്പൻ.—അതു് ആരെന്നു് ഗവൺമ്മെണ്ടിന്നറിയാം.

മിസ്റ്റർ. കെ. പി. കണ്ണൻനായർ.—നമുക്കുമറിയാമായിരിക്കാം. മറ്റു മെമ്പർമാരും കൂടി അറിയട്ടെ.

മിസ്റ്റർ. കെ. അയ്യപ്പൻ.—ഞാൻ മിസ്റ്റർ അയ്യാക്കുട്ടിയെയാണു് അർത്ഥമാക്കുന്നതു്. എന്നുവെച്ചു് ഉദ്യോഗസ്ഥന്മാർക്കു് കാലാവധി നീട്ടിക്കൊടുക്കണമെന്നല്ല ഞാൻ പറയുന്നതു്. ഞാൻ അതിനുവേണ്ടി അപേക്ഷിക്കുന്നില്ല. പ്രായംകവിഞ്ഞ ഉദ്യോഗസ്ഥന്മാരെല്ലാം ഉടനെ സ്വയം ഉദ്യോഗം രാജിവെച്ചു് ഒഴിഞ്ഞുപോയാൽ കൊള്ളാമെന്നു് ഞാൻ അവരോടു അപേക്ഷിക്കുന്നു.

Mr. P. Kumaran Ezhuthassan.—In further supporting the motion, I only bring to the notice of the Government the heart-burning of subordinate services in the matter of their claims being overlooked by those, I must say, superannuated men being given further extensions. When I was just discussing with a certain officer of the State, I do not mention his name, regarding the question of the retirement of his superior, he was telling me, because he, the official superior, was a person who was given extensions, that the gentleman concerned was qualifying for being entertained in the Cochin service for any length of time. When I requested him to explain it, he referred to the importation of two individuals into the State service, who have already passed the prime of their life. That subordinte officer was meaning thereby that, if the officer could get an extension of one year, he will be in a position to be on a par with two other persons of the State service, thereby being able to be in the service for any length of time probably. That is the nature of the heart-burning entertained by the subordinate officers. Therefore, it is high time that we put a stop to the giving of extensions to any person when he reaches the age bar. This is what I have to say in supporting the motion.

Mr. C. A. Kunjunni Raja.—May I know what is the attitude of the Government?

Mr. A. K. Vengu Ayyar.—It was only a few days ago that a resolution was discussed in this House in full detail and rejected by the House.

Mr. Thomas Manjuran.—A little louder, please.

Mr. A. K. Vengu Ayyar.—It is only a few months ago that a resolution was discussed in this House in full detail and rejected by the House.

Dr. A. G. Menon.—To what effect please?

Mr. A. K. Vengu Ayyar.—In regard to the particular matter of giving extensions I have nothing more to add. This

LIBRARY ARCHIVES Kerala Legislative Assembly

is only an exaggeration to say that distinction is made between higher and lower grades of officers in the matter of appointment. A scrutiny made will show that in the first place extensions are very few when compared with the number of retirements, and that the number of extensions were more in the lower grade of officers than in the higher. It is not possible to avoid such extensions altogether both in the interests of the Government and the service, and it is in consideration of this fact that an enabling provision is made in the Article in *the C. S. R.* It is only in exceptional cases that provision is made use of and that also after careful consideration. That is all what I have to say.

Dr. A. R. Menon—.Sir, considering it to be difficult to get a definite answer by the nature of the subject, and just to remove that tension I beg to withdraw.

Mr. A. K. Vengu Ayyar.—There is no tension at all.

Dr. A. R. Menon.—The difficulty of answering. When your case is so poor, it is so difficult to answer. Let us be generous. I request the leave of the House to withdraw, so that the Secretary may not be put to the difficulty of saying that there are more people retiring than being retained.

(*The motion was with leave withdrawn*).

President.—Motion No. 17, Dr. A. R. Menon.

Dr. A. R. Menon.—I am very glad that this motion is entirely different in temper and subject from the one that I have already moved. The object of this motion is to discuss the feasibility of admitting women on equal terms with men in all Departments of the State as far as it is possible. For the last few years, if you survey the history of India, you will find women in Kerala, especially in the States of Travancore and Cochin, as advancing on a pace, which the women of other parts of India were absolutely unable to cope with. In matters of education, they are almost equal, and in the matter of character they are far superior to men. I have always a great admiration for their steadfastness, for their patriotism. At the same time, I have a contempt so far as the men are concerned in all these virtues. They are possessed of many of the virtues which are essential for public life, and it is only a fitting recognition that in both the States ladies are appointed. It would be possible in the near future to do away with this by women themselves standing as Legislative Council Members in the Council's election. As I said, that men are superior beings and that special Departments can be manned only by men have been demolished. The proposition has been demolished in many countries, and in all new countries and all old countries which have assumed new methods like China, women are playing the highest part in the Government of

LIBRARY ARCHIVES Kerala Legislative Assembly

their respective nations. But here the Government means mainly the official posts. They must be given all the facilities that men have in any of the Departments of public service. Last year, I sent in a resolution here, which fortunately came for discussion, but on that day we took to our heads to walk out. The intention of the resolution was to call the pointed attention of the Government and to advise the Government to reserve all the posts in the girls' schools to lady teachers and lady teachers alone. There was an assurance from the Director of Public Instruction last year that he is going to fill the various girls' schools with women, and also I wanted to bring to the notice of the Government and the Head of the Department that they are equal, if not superior, to the male teachers. Now you cannot get over this difficulty that conditions are so altered that women have to fall back upon themselves for their livelihood. The conception that a woman's life is only to become the wife and the mother has gradually gone out owing to various causes, the main causes being economic. This country approaches in many aspects the European countries in its independence, in the freedom and in the equality that has been given to women. This country approaches many countries in Europe, and, therefore, the conditions that prevail in those countries and the fact that the rulers have found that the women must be admitted in all cases as far as possible must be accepted here also. But in Travancore, the Diwan asked them whether they are willing to join the Military and the Police Departments. Women rightly declined to undertake this arduous task. But in this country, fortunately, our women are able to undertake even this work. Because a gentleman no less an authority than the Chief Medical Officer some time ago said that women of Ernakulam were in the habit of jumping over the six-footed wall of the General Hospital. If a woman can perform this marvellous feat of jumping over a six-footed wall, they are more fitted to shoulder guns than the persons who are under the Commissioner of Police. Can the Commissioner of Police jump over the six-footed wall ? It is only to bring to the notice of the Government that all posts should be open to them as far as possible and gradually you should allow them to enter into the various Departments that I tabled this. We have got a superfluous number of lady graduates who cannot get any posts. I fail to see why they should not be allowed to compete on equal terms with men. I want the Government to consider this question. It is only for this purpose that I bring this motion. I beg leave to withdraw.

(*The motion was withdrawn with leave of the House*).

Motion No. 18.

Mr. A. B. Salem.—*To reduce the total allotment under "Demand No. XIII" by Re. 1.*

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. A. K. Vengu Ayyar.—You have finished that, I suppose.

Mr. A. B. Salem.—I want to know what is working in your minds about the question that I raised about the admission of ladies.

Mr. A. K. Vengu Ayyar.—Government have noted it.

Mr. A. B. Salem.—Sir, I wish to bring to the notice of the administration the imperative demand of this House, namely, the demand for supplementary questions to be extended to all the Members in this House and to consider also another more important aspect of reform namely, the separation of the services from the legislature altogether. The danger of having the services here has been pointed out more than once in the last Council. The danger is, Sir, that we attack the officers concerned in their respective Departments. Naturally it recoils upon us, as they are also human beings and as such are liable to a feeling of retaliation. Therefore you are exposing your people, under the present system of administration, to a great and standing danger. There are victims in this House and elsewhere who suffer on account of the criticisms levelled at the services here in this House. I want the Government not to expose the officers to such a charge, and, therefore, Sir, I emphatically ask you to consider the urgent necessity of the separation of the services from the legislature, and to install in its place proper ministers to minister unto the needs of the service as they wish, and to stand here for them and defend their cause, justify them or deal with them as they deserve to be dealt with. In order to make the Government consider this, I have tabled this motion. I don't press it.

(*The motion was withdrawn with leave of the House*).

The House rose for lunch at 2' to 2 p. m. and re-assembled at 3 p. m.

Question put:—'*That Demand No. XIII "General Administration" of Rs 60,591 minus Re. 1 be carried.*

Question put and agreed to.

President.—The Police Member is present. He is allowed to answer supplementary questions relating to his Department now.

Questions and Answers.—(Continued.)

36. **Mr. P. Krishna Menon.**—Am I to understand that no steps are taken even if the charge is not laid within a reasonable time?

Mr. Sheik Abdul Qadir Sahib Bahadur.—After the completion of the investigation, charges are not delayed.

Mr. P. Krishna Menon.—I know that.

Mr. Sheik Abdul Qadir Sahib Bahadur.—If the investigation is not complete—there might be chances of success—then the investigation goes on until they are complete, or they

LIBRARY ARCHIVES Kerala Legislative Assembly